

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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February 22, 2010

H. Edward DeBee, Esq.  
DeBee Gilchrist  
100 N. Broadway Ave., Suite 1500  
Oklahoma City, Oklahoma 73102

Re: Perry Broadcasting of Lawton, Inc.  
KJMZ(FM), Cache, Oklahoma  
Facility Identification Number: 35031  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 8, 2010, on behalf of Perry Broadcasting of Lawton, Inc. ("PBL"). PBL requests special temporary authority ("STA") to operate Station KJMZ with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, PBL states

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna. STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Our review indicates that the proposed STA operation would result in a substantial extension of the 60 dBu contour toward the east; however, if the effective radiated power is reduced to 0.5 kilowatt, the extension would be eliminated. STA is granted with a power reduction to 0.5 kilowatt.

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<sup>1</sup> KJMZ is licensed for operation on Channel 250A (97.9 MHz) with effective radiated power of 6 kilowatts (H&V) and antenna height above average terrain of 89 meters.

<sup>2</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>3</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station KJMZ may operate with the following facilities:

Geographic coordinates:	34° 35' 27" N, 98° 21' 10" W (NAD 1927)
Channel	250 (97.9 MHz)
Effective radiated power:	<b>Not to exceed 0.5 kilowatts</b> (H only)
Antenna height:	
above ground:	62 meters
above mean sea level:	407 meters
Above average terrain:	62 meters

PBL must notify the Commission when licensed operation is restored. PBL must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **August 22, 2010**.

**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Perry Broadcasting of Lawton, Inc.